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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,731	12/22/2000	Shunpei Yamazaki	SEL 233	4617

7590 10/08/2004
COOK, ALEX, McFARRON, MANZO
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200 West Adams Street
Chicago, IL 60606

EXAMINER

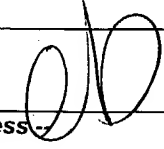
FLETCHER III, WILLIAM P

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/747,731	Applicant(s) YAMAZAKI ET AL.	
	Examiner William P. Fletcher III	Art Unit 1762	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

THE REPLY FILED 07 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☒ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see attached.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 20-22, 37-40, 43-45, 48, 49 and 53-62.

Claim(s) withdrawn from consideration: _____.

8. ☒ The drawing correction filed on 19 May 2003 is a) ☒ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

WPF 10/5/2004
William Phillip Fletcher III
Patent Examiner, UPSTO
GAU 1762

ADVISORY ACTION

1. The period for reply is extended to run four MONTHS from the date of the final rejection. Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a) accompanied by the appropriate fee. The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. A reply within the meaning of 37 CFR 1.113 or a request for a continued examination (RCE) in compliance with 37 CFR 1.114 must be timely filed to avoid abandonment of this application.

Response to Amendment

2. The amendment filed 9/7/2004 under 37 CFR 1.116 in reply to the final rejection has been considered but is not deemed to place the application in condition for allowance and will not be entered because:

- a. The proposed amendment raises new issues that would require further consideration and/or search.
- b. The proposed amendment is not deemed to place the application in better form for appeal by materially simplifying the issues for appeal.
- c. The proposed amendment presents additional claims without cancelling a corresponding number of finally rejected claims.

The examiner has neither searched nor considered the subject matter or scope recited in proposed new claims 63-68. Consequently, entry of these proposed new claims would require further consideration and search.

Response to Arguments

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3. Applicant's arguments filed in the reply dated 9/7/2004 have been fully considered but they are not persuasive.

Applicant argues that, because the 'heat-resistant temperature' of an organic EL material is low, one of ordinary skill in the art would not use an electron beam evaporator, such as that disclosed by Grothe, for an organic EL material. As an initial point, the examiner notes that this position is unsupported by evidence of record. Further, it does not address the key feature of Grothe relied upon by the examiner: a vapor deposition source elongated in one direction. While this reference specifically discloses an electron beam evaporator, it is clear that the teaching at column 5, lines 40 and following, is generic to vapor deposition sources. The examiner's position remains that it would have been obvious to one of ordinary skill in the art to modify the process of Arai so as to utilize a source elongated in one direction, as suggested by Grothe, to ensure enhanced vapor uniformity. Consequently, this argument is not persuasive.

Applicant argues that Grothe fails to teach relative motion of the deposition source and the substrate. The examiner agrees; Monk was cited as providing motivation to do so. Applicant does not address combination with this reference. Consequently, this argument is not persuasive.

Applicant argues that Bennett does not teach elongation of the first and second vapor sources. The examiner agrees; Grothe was cited as providing motivation to do so. Applicant's arguments concerning this reference are addressed above. Consequently, this argument is not persuasive.

Applicant argues that, because the 'heat-resistant temperature' of an organic EL material is low, one of ordinary skill in the art would not use an electron beam evaporator, such as that disclosed by Feuerstein, for an organic EL material. As an initial point, the examiner notes that

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this position is unsupported by evidence of record. Further, it does not address the key feature of Feuerstein relied upon by the examiner: an elongated array of individually controllable vapor sources. While this reference specifically discloses an electron beam evaporator, it is clear that the teaching at columns 1 and 2 of the reference, cited at page 8 of the prior Office action, is generic to an array of vapor deposition sources. The examiner's position remains that it would have been obvious to one of ordinary skill in the art to modify the process of Arai so as to utilize an elongated array of individually controllable vapor sources to ensure greater control of deposition thickness and uniformity. Consequently, this argument is not persuasive.

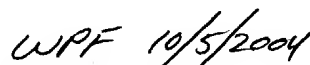
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Fletcher III whose telephone number is (571) 272-1419. The examiner can normally be reached on Monday through Friday, 9 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P. Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BRET CHEN
PRIMARY EXAMINER


WPF 10/5/2004
William P. Fletcher III